

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF THE UNITED STATES OF AMERICA	COURT CASE NUMBER 02-161 E <u>MISC # 03-63E</u>
DEFENDANT MATTHEW C. REAGLE AND DIANA L. REAGLE	TYPE OF PROCESS WRIT OF EXECUTION/NOTICE

SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN MATTHEW C. REAGLE
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 23 AIRPORT ROAD, CORRY, PA 16407

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

THE BERNSTEIN LAW FIRM, P.C.
SUITE 2200 GULF TOWER
PITTSBURGH, PA 15219
412-456-8100

Number of process to be
served with this Form 285Number of parties to be
served in this caseCheck for service
on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

SERVE THE ABOVE INDIVIDUAL BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED. IF MAIL IS RETURNED "UNCLAIMED", SERVE PERSONALLY. MUST SERVE BEFORE July 9 2005 WHICH IS 30 DAYS BEFORE SALE. WHEN FILING YOUR RETURN ON THIS FORM 285, PLEASE ATTACH EXTRA COPIES OF DOCUMENTS WHICH WE PROVIDE HEREWITH.

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

412-456-8100

DATE

6-16-05

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
		No. _____	No. _____		

I hereby certify and return that ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date 6/29/05 Time 2 ☐ am ☒ pm

Signature of U.S. Marshal or Deputy

Service Fee <u>900</u>	Total Mileage Charges including endeavors	Forwarding Fee <u>800</u>	Total Charges <u>9800</u>	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*) <u>9800</u> 9000
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REMARKS: TO BRIE 6-22-05**PRINT 5 COPIES:**

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
Rev. 12/15/80
Automated 01/00

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff,

vs.

No. 02-161E

Misc. **03-63E**

MATTHEW C REAGLE AND

DIANA L REAGLE

Defendant

PRAECIPE FOR WRIT OF EXECUTION-REISSUE AND AMEND

To the Clerk of Court:

Issue Writ of Execution in the above matter:

Principal	\$55,676.27
Interest to 12/31/01	\$ 2,979.35
Interest at the daily rate of \$10.30 from 1/1/02 to 9/10/02 the date of Judgment	\$ 2,595.60
Interest Credit Subject to Recapture	\$ 3,188.52
Administrative Costs	\$ 150.00
Clerk of Court costs to date	\$
United States Marshal's costs to date	\$ 2,713.85
Attorney Fees	\$ 1,189.50
Total	\$68,493.09

Plus interest from the date of Judgment at the legal rate and future costs to be added.

Respectfully submitted,
BERNSTEIN LAW FIRM, P.C.

By: 

Lori A. Gibson, Esquire

Attorney for Plaintiff

PA I.D. #68013

Suite 2200 Gulf Tower

Pittsburgh, PA 15219

DIRECT DIAL: (412) 456-8100

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Attorney Fees	\$ 1,189.50
Total	\$68,493.09

Plus interest from the date of Judgment at the legal rate and future costs to be added.

Seal of the Court
Date: JUN 16 2005, 2005

CLERK OF COURT

R.J. Barth, Jr.
DEPUTY CLERK
Michael R.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff,

vs.

No. 02-161E

Misc 03-63E

MATTHEW C REAGLE AND
DIANA L REAGLE

Defendant.

NOTICE OF MARSHAL'S SALE OF REAL ESTATE

To: DIANA L REAGLE
23 AIRPORT ROAD
CORY, PA 16407

This is to notify you that the real estate owned by Matthew C Reagle and Diana L Reagle more fully described below, will be sold at United States Marshal's Sale on **AUGUST 9, 2005 at 10:00 a.m.** The sale will take place at the ERIE COUNTY COURTHOUSE, 140 WEST 6TH STREET, ERIE, PA. The property being sold is: 23 Airport Road Corry, PA 16407.

ALL that certain parcel of land situate in the 4th Ward of the City of Corry, Erie County, Pennsylvania, bounded and described as follows:

BEGINNING at a set iron pipe in the North line of Airport Road in the south west corner of Parcel Number 2 of Alberstadt Subdivision C-1 according to a survey prepared by Terry Darnofall, Registered Surveyor, dated August 11, 1980; thence westerly along the North line of Airport Road, seventy-five and forty one hundredths (75.40) feet to a set iron pipe in the southeast corner of lands now or formerly of Stigar; thence Northerly along the Easterly line of lands now or formerly of Stigar North zero degrees Twenty minutes East (N 0 degrees 20 minutes E), one hundred ninety-three and seventy one-hundredths (193.70) feet to a set iron pipe in the corner of lands now or formerly of Mitchell; thence Northerly along the southeasterly line of lands now or formerly of Mitchell, ninety-nine and forty-nine one-hundredths (99.49) feet to a set iron pipe in the Northwest corner of Parcel Number 2 aforesaid; thence along the west line of Parcel Number 2 aforesaid, South zero degrees twenty minutes West (S 0 degrees 20 minutes W), two hundred fifty-eight and seventeen one-hundredths feet (258.17) to a set pipe, the place of beginning.

BEING the same property conveyed to Matthew C Reagle and Diana L Reagle by deed recorded in Erie County Records Office and bearing Erie County Assessment Index No. (8)-38-160-18.03.

All parties interested and claimants are hereby given notice that a schedule for distribution will be filed by the United States Marshal for the Western District of Pennsylvania not later than 30 (thirty) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Claims against property must be filed at the office of the United States Marshal before above sale date.

Claims to proceeds must be made with the Office of the United States Marshal before distribution.

Attached hereto is a copy of the Writ of Execution. It has been issued because there is a Judgment against you. It may cause your property to be held or taken to pay the Judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL ADVICE.

Lawyers Referral Service Erie County
302 West Ninth Street
Erie, PA 16502-1427
Telephone: 814-459-3111

You may have legal rights to prevent the Marshal's Sale and the loss of your property. In order to exercise those rights, prompt action on your part is necessary. A lawyer may be able to help you.

You may have the right to prevent or delay the Marshal's Sale by filing, before the sale occurs, a Motion to Open or Strike the Judgment or a Petition to Stay the Execution.

If the Judgment was entered because you did not file with the Court a defense or objection you might have had within sixty (60) days after a Notice of Lawsuit and Request for Waiver of Service was sent to you or within twenty (20) days after personal service of the Complaint, you may have a right to have the Judgment opened if you promptly file a Motion with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the Judgment is opened, the Sale would ordinarily be delayed pending a trial of the issue of whether the Plaintiff has a valid claim entitling it to foreclose upon or sell the real property.

You may also have the right to have the Judgment stricken if there has not been valid service of the Complaint or if the Judgment was entered before sixty (60) days after service of Notice Lawsuit and Request for Waiver of Service of Summons was sent to you or within twenty (20) days after personal service of the

Complaint or in certain other events. To exercise this right, you would have to file a Motion to Strike the Judgment.

If Judgment was entered against you by confession, you may not have certain of the rights set forth above, but you still may have the right to move to have the Confessed Judgment opened or stricken on proper grounds.

You may also have the right to Petition the Court to stay or delay the execution and Marshal's Sale if you can show a defect in the Writ of Execution or service or demonstrate any other legal or equitable right.

You may also have the right to have the Marshal's Sale set aside if the property is sold for a grossly inadequate price or if there are defects in the Marshal's Sale. To exercise this right, you should file a Petition with the Court after the sale and before the Marshall has delivered his Deed to the property. The Marshal will deliver the Deed if no Petition to Set Aside the Sale is filed within 10 (ten) days from the date when the Schedule of Distribution is filed in the office of the Marshal.

Respectfully submitted,

BERNSTEIN LAW FIRM, P.C.

By: 

Lori A. Gibson, Esquire

Attorney for Plaintiff

PA I.D. #68013

Suite 2200 Gulf Tower

Pittsburgh, PA 15219

DIRECT DIAL: (412) 456-8100

BERNSTEIN FILE NO. F0015782